

**IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED BY THE PLANNING AND  
COMPENSATION ACT 1991)**

**ENFORCEMENT NOTICE – 14/E0565**

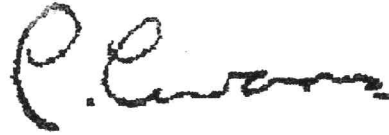
**Operational Development**

**ISSUED BY: THE LONDON BOROUGH OF MERTON ('the Council')**

1. **THIS IS A FORMAL NOTICE** which is issued by the Council because it appears to them that there has been a breach of planning control, under section 171A(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations.
2. **THE LAND AFFECTED**  
The land and property known as 204 Tamworth Lane, Mitcham, CR4 1DE shown edged red on the plan attached ("the Premises")
3. **THE BREACH OF PLANNING CONTROL ALLEGED**  
  
Without planning permission the construction of: 'a second single storey rear extension [the 'Unauthorised Extension] and raised patio [the 'Unauthorised Patio]'.  
  
4. **REASONS FOR ISSUING THIS NOTICE**
  1. The above breach of planning control has occurred within the last four years.
  2. The Unauthorised Extension and Unauthorised Patio due to their size, mass and location appear as dominant, overbearing alien features that are out of scale with the main building and the modestly-sized gardens of the terrace. They are a visually intrusive form of development that results in a loss of amenity in terms of overlooking and creates a sense of enclosure and loss of outlook for the present and future occupants of neighboring houses when viewed from their properties.
  3. Furthermore the materials used in their construction results in them appearing as incongruous additions that do not respect or complement the character and appearance of the host building, neighboring properties and area in general
  4. Overall, Unauthorised Extension and Unauthorised Patio conflicts with Policies DM D2 – Design considerations in all developments, DM D3 – Alterations and extensions to existing buildings of the Council's adopted Sites, Policies Plan 2014, CS14 - Design of the Merton's Core Planning Strategy adopted July 2011 and 7.4 - Local Character & 7.6 – Architecture of the London Plan 2011 and Section 7 & 12 of the National Planning Policy Framework.
5. **WHAT YOU ARE REQUIRED TO DO**
  - A. Demolish the Unauthorised Extension
  - B. Demolish the Unauthorised Patio
  - C. Remove all resultant debris from the Premises resulting from compliance with steps A and B above
6. **TIME FOR COMPLIANCE**  
  
3 calendar months of the date on which this notice takes effect.

## 7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on **18<sup>th</sup> June 2015**, unless an appeal is made against it beforehand.



Dated: **11<sup>th</sup> May 2015**

Signed.....  
Assistant Director of Corporate Governance  
South London Legal Partnership  
on behalf of the Council of the London Borough  
of Merton

Address to which all communication should be sent:-

Paul Evans, Head of Legal Services, South London Legal Partnership, Gifford House, 67c St Helier Avenue, Morden, Surrey, SM4 5DX (Ref: CS/LEG/HB/511-519)

## ANNEX

### YOUR RIGHT OF APPEAL

You can appeal against this notice in writing to the Secretary of State, but any appeal must be received, or posted in time to be received, by the Planning Inspectorate before the notice takes effect. The enclosed Explanatory Note and Information Sheet set out the procedure to be followed if you wish to appeal.

### FEE PAYABLE FOR THE DEEMED APPLICATION

If your ground of appeal is, or includes ground (a) that planning permission should be granted, you must include with your appeal a fee, which is double that payable for a normal planning application. The total fee payable is **£344** that must be paid by way of a cheque made out to the London Borough of Merton  
The fee can be sent with your appeal form.

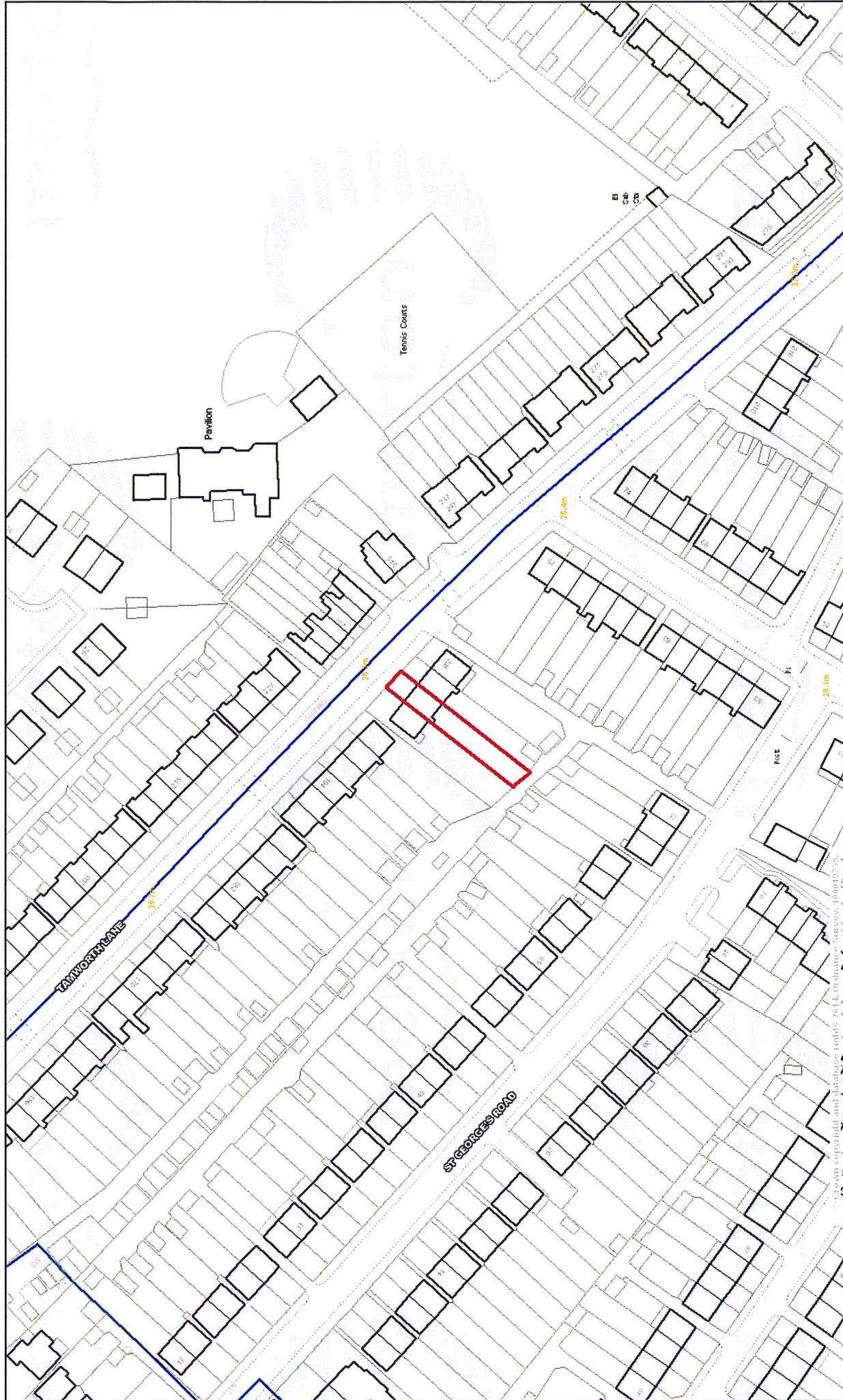
### WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on the date indicated above and you must then ensure that the notice is complied with. Failure to comply with an enforcement notice that has taken effect, is a criminal offence and can result in legal proceedings and/or remedial action by the Council.

### PERSONS SERVED WITH A COPY OF THIS ENFORCEMENT NOTICE

1. THE OWNER / OCCUPIER, 204 Tamworth Lane, Mitcham, CR4 1DE
2. AMIR ISMAIL NAVIWALA, 204 Tamworth Lane, Mitcham, CR4 1DE
3. BANK OF SCOTLAND PLC, The Mound, Edinburgh, EH1 1YZ

**If you believe that there is someone else who should be served with a copy of the enforcement notice/s please let that person and the Council know as soon as possible.**



London Borough of Merton  
 100 London Road  
 Morden  
 Surrey  
 SM4 5DX

Scale 1/1272

Date 30/3/2015

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DEVELOPMENT CONTROL

